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Patent Lawyers

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To the

German Patent and Trademark Office

80297 Munich

Munich, 17.10.03

Our ref.: M/44090

Re: German Utility Model 201 16 428  
Pfizer Ltd  
Cancellation petition by Cimex Development AG  
LO I/13/03

You are most respectfully petitioned to

Expedite

the cancellation proceedings

and set a date for a hearing by no later than February 2004.

Reasoning: The above utility model relates to a pharmaceutical formulation containing amlodipine as active ingredient. The basic amlodipine patent expires at the start of March 2004. Amlodipine is a very successful medicament in which the generic manufacturers are very interested. The Petitioner has already made it known that it intends to commence the production and marketing of an amlodipine formulation as soon as the basic patent has expired. The holder of the utility model has reason to assume that other generic manufacturers will do the same. It is thus of special interest for the utility model holder to have a legal ruling of the legal validity of the utility model by no later than the end of February. The Petitioner would also be interested in speedy ruling in the matter as it has petitioned for an expedition of the proceedings. We thus petition that the Court approve the petition by the parties involved.

Peter Riedl